

Hazlett, Justin G.

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U.S. Bankruptcy Court

Southern District of Indiana

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Case Name: State of Indiana v. Park

Case Number: [05-00367](#)

Document Number: [51](#)

Docket Text:

Agreed Judgment *for Permanent Injunction and Consumer Restitution* filed by Justin G. Hazlett on behalf of Defendant John Richard Park, Plaintiff State of Indiana. (Hazlett, Justin)

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:C:\Documents and Settings\jhazlett\Desktop\CMECF Ready to Send\Agreed Judgment for Permanent Injunction and Consumer Restitution.pdf

Electronic document Stamp:

[STAMP bkecfStamp_ID=1072195184 [Date=5/30/2008] [FileNumber=10626801-0] [444b07a749a72627df2bba02aa8e58a5218dfa63312e869795b6ce108c7eaa26c91443a96562c86abdab620ad5d945bab5e0697dbbe5f8f99c496da4e8b6e022]]

05-00367 Notice will be electronically mailed to:

Justin G. Hazlett jhazlett@atg.state.in.us

U.S. Trustee ustpregion10.in.ecf@usdoj.gov

05-00367 Notice will not be electronically mailed to:

Steve Carter
Office of Attorney General
302 W. Washington Street
5th Floor

5/30/2008

Indianapolis, IN 46204

John Richard Park
1085 Fairlane Ct.
Franklin, IN 46131

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

IN RE:)	
)	
JOHN RICHARD PARK)	CASE NO. 05-02813-BHL-7
)	
Debtor)	CHAPTER 7
)	
-----)	
)	
STATE OF INDIANA)	
)	
Plaintiff)	
)	
v.)	ADV. PROC. NO. 05-00367
)	
JOHN RICHARD PARK)	
)	
Defendant)	

**AGREED JUDGMENT
FOR PERMANENT INJUNCTION AND CONSUMER RESTITUTION**

Plaintiff, State of Indiana, by counsel Attorney General Steve Carter and Deputy Attorney General Justin G. Hazlett, and Defendant John Richard Park, *pro se*, stipulate and consent to the entry of this Agreed Judgment for Permanent Injunction and Consumer Restitution. The parties consent to the entry of this Agreed Judgment without the taking of proof and without it constituting evidence or an admission by Defendant regarding any issue of fact alleged in the Complaint to Determine Dischargeability, and without Defendant admitting any liability. The parties agree that:

1. This Court has jurisdiction over the subject matter of, and the parties to, this civil action.
2. The injunctive provisions of this Agreed Judgment apply to Defendant and to his agents, assigns, employees, representatives, and successors; to all persons acting by, through,

under, or on behalf of Defendant; and to all persons acting in concert with or participating with Defendant who have actual or constructive knowledge of this Agreed Judgment.

3. Defendant is permanently enjoined and restrained from:

3.1. representing to any consumer that the subject of any consumer transaction has a characteristic or benefit that Defendant knows or reasonably should know the subject of the consumer transaction does not have;

3.2. misrepresenting to any consumer that Defendant or any other entity is able to deliver the subject of a consumer transaction or otherwise complete a consumer transaction within a stated time period or within a reasonable time period; and

3.3. violating any provision of Indiana's Deceptive Consumer Sales Act, currently codified at Indiana Code §§ 24-5-0.5-1 through -12.

4. Defendant shall pay restitution in the total amount of Fifty Two Thousand Two Hundred Seventy Four and 50/100 Dollars (\$52,274.50) to the Office of the Indiana Attorney General, which shall hold the money in escrow for distribution to the following consumers in the following amounts:

4.1. Jerry Bain of Indianapolis, Indiana - Fifteen Thousand Dollars (\$15,000.00);

4.2. Gerald and Terry Bowdell of Anthony, Indiana - Eleven Thousand Six Hundred Twenty Four and 50/100 Dollars (\$11,624.50);

4.3. S. Erik Guthrie of Indianapolis, Indiana - One Thousand Six Hundred Fifty Dollars (\$1,650.00);

4.4. Paul and Pat Minnis of Indianapolis, Indiana - Eleven Thousand Dollars (\$11,000.00);

4.5. Dan Rolewske of Schererville, Indiana - Thirteen Thousand Dollars (\$13,000.00).

5. Defendant's payments in paragraph 4 and its sub-paragraphs represent debts that are non-dischargeable under 11 U.S.C. § 523(a)(2)(A), and shall not be discharged by any of Debtor's current or future bankruptcy cases.

6. Defendant acknowledges and waives his right to appeal from the contents and entry of this Agreed Judgment. Defendant waives his right to appeal knowingly, intelligently, and voluntarily.

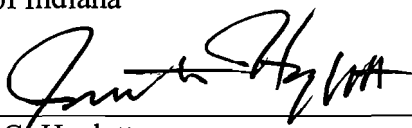
7. Defendant shall not object or contest in any way any action Plaintiff may take to domesticate this Agreed Judgment in any Indiana trial court or any other court of competent jurisdiction to make this Agreed Judgment a judgment of such court.

8. This Court retains jurisdiction over this matter for the purpose of enabling any party to this Agreed Judgment to apply to the Court at any time for such further orders or directions as may be necessary or appropriate for the construction or carrying out of the Agreed Judgment, for the modification of any of the injunctive provisions of it, for the enforcement of compliance with it, or for the punishment of violations of it.

9. There is no just reason for delay and the clerk should enter this Agreed Judgment immediately.

10. This Agreed Judgment shall take effect immediately upon its entry.

Plaintiff
State of Indiana

By: 
Justin G. Hazlett
Deputy Attorney General
Attorney No. 22046-49

Date: 5/30/2008

Defendant
John Richard Park


John Richard Park

Date: 5/30/08